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1 **COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C §§ 1983**

2 RICHARD W. WICKING  
3 CLERK, U.S. DISTRICT COURT  
4 NORTHERN DISTRICT OF CALIFORNIA

5 Name TAYLOR, RONALD E.

6 (Last) (First) (Initial)

7 Prisoner Number H-14836

8 Institutional Address 1 MAIN STREET, S.Q.S.P.

9 SAN QUENTIN, CALIFORNIA 94974

10 **UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

11 RONALD EVANS TAYLOR

12 (Enter the full name of plaintiff in this action.)

13 vs.

14 ROBERT L. AYERS JR., et al.

15 (Enter the full name of the defendant(s) in this action))

16 )

17 CV 08 00647

18 Case No. \_\_\_\_\_

19 (To be provided by the clerk of court)

20 ) **COMPLAINT UNDER THE  
21 CIVIL RIGHTS ACT,  
22 42 U.S.C §§ 1983**

MMC

23 **[All questions on this complaint form must be answered in order for your action to proceed.]**

24 I. **Exhaustion of Administrative Remedies**

25 [Note: You must exhaust your administrative remedies before your claim can go  
26 forward. The court will dismiss any unexhausted claims.]

27 A. Place of present confinement SAN QUENTIN STATE PRISON

28 B. Is there a grievance procedure in this institution?

YES  NO

C. Did you present the facts in your complaint for review through the grievance  
procedure?

YES  NO

D. If your answer is YES, list the appeal number and the date and result of the

I appeal at each level of review. If you did not pursue a certain level of appeal, explain why.

3 1. Informal appeal \_\_\_\_\_  
4 \_\_\_\_\_

5 \_\_\_\_\_ 2. First  
6 formal level \_\_\_\_\_  
7 \_\_\_\_\_  
8 \_\_\_\_\_

9 3. Second formal level \_\_\_\_\_  
10 \_\_\_\_\_  
11 \_\_\_\_\_ 4 Third  
12 formal level \_\_\_\_\_  
13 \_\_\_\_\_  
14 \_\_\_\_\_

15 E. Is the last level to which you appealed the highest level of appeal available to  
16 you?

17 YES ( ) NO ( )

18 F. If you did not present your claim for review through the grievance procedure,

19 explain why. \_\_\_\_\_  
20 \_\_\_\_\_  
21 \_\_\_\_\_

22 II. Parties

23 A. Write your name and your present address. Do the same for additional plaintiffs,  
24 if any.

25 RONALD E. TAYLOR #H 14836

26 2 N 20 L, S.Q.S.P.

27 SAN QUENTIN, CALIFORNIA 94974

28 B. Write the full name of each defendant, his or her official position, and his or her

1 place of employment.

2 B-1. DEFENDANT C.M. LOVE, IS A CORRECTIONAL OFFICER OF THE  
3 CALIFORNIA DEPARTMENT OF CORRECTIONS, WHO AT ALL TIMES MENTION-  
4 ED IN THIS COMPLAINT WAS ASSIGNED TO SAN QUENTIN STATE PRISON.  
5 DEFENDANT C.M. LOVE IS SUED INDIVIDUALLY AND IN HER OFFICIAL  
6 CAPACITY. DEFENDANT LOVE ACTED UNDER COLOR OF STATE LAW.  
(defendants continued on page 3-a)

7 Statement of Claim

8 State here as briefly as possible the facts of your case. Be sure to describe how each  
9 defendant is involved and to include dates, when possible. Do not give any legal arguments or  
10 cite any cases or statutes. If you have more than one claim, each claim should be set forth in a  
11 separate numbered paragraph.

12 CLAIM ONE. ON MAY 12, 2006, MY PERSONAL PROPERTY WAS CONFIS-  
13 CATED IN VIOLATION OF DUE PROCESS.

14 DUE PROCESS VIOLATIONS INCLUDED, BUT WERE NOT LIMITED TO:  
15 CONFISCATION OF PROPERTY WITHOUT ISSUANCE OF RECEIPT.  
16 CONFISCATION OF PROPERTY WITHOUT LOGGING SAID CONFISCATION IN  
17 UNIT CELL SEARCH LOG.  
18 FATLURE TO RESPOND TO INMATE APPEAL WITHIN MANDATED TIME CON-  
19 STRAINTS.

20 THE ABOVE DUE PROCESS VIOLATIONS WERE PERPETRATED UNDER  
21 COLOR OF AUTHORITY AND IN VIOLATION OF THE CALIFORNIA CODE OF  
22 REGULATIONS-TITLE 15.

23 (claims continued on page 3a 1)

24 IV. Relief

25 Your complaint cannot go forward unless you request specific relief. State briefly exactly  
26 what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

27 (A) A DECLARATION THAT THE ACTS AND OMISSIONS DESCRIBED HEREIN

B 2. DEFENDANT ROBERT L. AYERS JR., IS THE WARDEN OF SAN QUENTIN STATE PRISON. HE IS LEGALLY RESPONSIBLE FOR THE OPERATION OF SAN QUENTIN STATE PRISON AND FOR THE WELFARE OF ALL THE INMATES OF THAT PRISON.

DEFENDANT AYERS JR. IS SUED INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY. AT ALL TIMES MENTIONED IN THIS COMPLAINT, DEFENDANT AYERS JR. ACTED UNDER COLOR OF AUTHORITY/STATE LAW.

B 3. DEFENDANT R.L. WINGO, IS A CORRECTIONAL OFFICER OF THE DEPARTMENT OF CORRECTIONS, WHO AT ALL TIMES MENTIONED IN THIS COMPLAINT, HELD THE RANK OF SERGEANT AND WAS ASSIGNED TO SAN QUENTIN STATE PRISON.

DEFENDANT WINGO IS SUED INDIVIDUALLY AND IN HER OFFICIAL CAPACITY. AT ALL TIMES MENTIONED IN THIS COMPLAINT, DEFENDANT WINGO ACTED UNDER COLOR OF AUTHORITY/STATE LAW.

B 4. DEFENDANT M. CRAMER IS A LIEUTENANT AT SAN QUENTIN STATE PRISON. HE IS LEGALLY RESPONSIBLE FOR THE OPERATION OF VISITING AND THE MAIL ROOM OF SAN QUENTIN PRISON.

DEFENDANT M. CRAMER IS SUED INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY. AT ALL TIMES MENTIONED IN THIS COMPLAINT, DEFENDANT CRAMER ACTED UNDER COLOR OF AUTHORITY.

DEFENDANT N. GRANNIS IS THE CHIEF OF INMATE APPEALS FOR THE DEPARTMENT OF CORRECTIONS. DEFENDANT GRANNIS IS LEGALLY RESPONSIBLE FOR COORDINATING APPEALS/GRIEVANCES FROM PRISONERS IN THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND MAKING SURE THAT THOSE APPEALS ARE PROCESSED IN ACCORDANCE WITH THE MANDATES OF THE CALIFORNIA CODE OF REGULATIONS TITLE 15 AND THE DEPARTMENT OPERATIONS MANUAL (D.O.M.) (**DUE PROCESS**).

DEFENDANT A. SHELDON IS THE APPEALS COORDINATOR FOR SAN QUENTIN STATE PRISON AND IS LEGALLY RESPONSIBLE FOR PROCESSING INMATE APPEALS IN HARMONY WITH THE CALIFORNIA CODE OF REGULATIONS AND THE DEPARTMENT OPERATIONS MANUAL.

DEFENDANTS GRANNIS AND SHELDON ARE SUED INDIVIDUALLY AND IN THEIR OFFICIAL CAPACITIES. AT ALL TIMES MENTIONED IN THIS COMPLAINT DEFENDANTS GRANNIS AND SHELDON ACTED UNDER COLOR OF AUTHORITY.

CLAIMS, continued

EXHIBIT 'A', IS A COPY OF THE APPEAL PLAINTIFF FILED IN RESPONSE TO DEFENDANT LOVE CONFISCATING HIS PROPERTY (HOT POT) ON MAY 12, 2006.

THE CALIFORNIA CODE OF REGULATIONS TITLE 15, (HEREINAFTER REFERRED TO AS CCR) SECTION 3287, MAKES IT CLEAR THAT ANY CONFISCATION SHALL BE ACCCOMPANIED BY A WRITTEN RECEIPT, JUSTIFICATION AND RECORDING OF SAID CONFISCATION, AS WELL OF THE DISPOSITION OF ANY CONFISCATED PROPERTY.

THE CCR, SECTION 3084.6, CLEARLY STATES THAT "INFORMAL LEVEL APPEALS SHALL BE ANSWERED WITHIN 10 WORKING DAYS". DEFENDANT LOVE DID NOT SUPPLY PLAINTIFF WITH A RECEIPT UNTIL JUNE 27, 2006; THIRTY FIVE (35) WORKING DAYS AFTER RECEIVING PLAINTIFF'S APPEAL. (SEE EXHIBIT 'A') DEFENDANT LOVE'S RESPONSE WAS NOT ONLY OVER A MONTH LATE; THE RESPONSE STATES THAT MY PROPERTY WAS "DISPOSED OF PER INSTITUTIONAL PROCEDURE". THERE IS NO 'INSTITUTIONAL PROCEDURE' WRITTEN, FOR DISPOSAL OF INMATE PROPERTY.

AFTER SUBMITTING THIS APPEAL TO THE APPEALS COORDINATOR'S OFFICE, FOR FORMAL LEVEL PROCESSING, PLAINTIFF NEVER RECEIVED THE APPEAL BACK, NOR ANY FURTHER RESPONSE.

AS CAN BE SEEN FROM THE APPEAL (EXHIBIT 'A'), NEITHER OF THE ABOVE MANDATES WERE ADHERED TO BY DEFENDANT LOVE; WHICH CLEARLY AMOUNTS TO A VIOLATION OF STATE AND FEDERAL DUE PROCESS.

CLAIM TWO

IN VIOLATION OF THE EQUAL PROTECTION CLAUSE OF THE 14TH AMENDMENT TO THE U.S. CONSTITUTION, DEFENDANT AYERS REFUSES TO ALLOW PLAINTIFF TO CONSUMMATE HIS MARRIAGE.

ON MARCH 27, 2006, PLAINTIFF FILED AN APPEAL (EXHIBIT 'B') REGARDING THE FACT THAT HE REQUESTED "TO BE ALLOWED OVERNIGHT FAMILY VISITING", JUST LIKE OTHER PRISONERS WHO ARE RESPONSIBLE FOR THE LOSS OF LIFE ARE.

PLAINTIFF WAS MARRIED HERE AT SAN QUENTIN STATE PRISON ON DECEMBER 2, 2005. IT IS A FACT THAT A MARRIAGE NOT CONSUMMATED IS NOT A VALID MARRIAGE. THEREFORE, IF PLAINTIFF IS NOT ALLOWED TO CONSUMMATE HIS MARRIAGE, THE MARRIAGE IS NOT VALID AND PLAINTIFF'S COSTS OF THE MARRIAGE; LICENSE, ETC., SHOULD BE REFUNDED.

PLAINTIFF WAS TOLD THAT HE WAS NOT ALLOWED TO PARTICIPATE IN THE OVERNIGHT FAMILY VISITING PROGRAM, DUE TO THE FACT THAT HE IS A LIFER. WELL, PLAINTIFF IS A LIFER DUE TO THE FACT THAT HE (REGRETFULLY) TOOK ANOTHER MAN'S LIFE. HOWEVER, THERE ARE OTHER, SIMILARLY SITUATED PRISONERS, WHO ARE ALLOWED TO HAVE OVERNIGHT FAMILY VISITS, EVEN THOUGH THOSE PRISONERS WERE ALSO CONVICTED OF TAKING HUMAN LIFE . (SEE EXHIBIT 'B')

IT IS THE PLAINTIFF'S CONTENTION THEREFORE, THAT HE SHOULD ALSO BE ALLOWED TO PARTICIPATE IN THE OVERNIGHT FAMILY VISITING PROGRAM AS WELL AS CONSUMMATION OF HIS MARRIAGE.

FOR DEFENDANT AYERS TO FORBID PLAINTIFF FROM PARTICIPATING IN THE FAMILY VISITING PROGRAM IS IN DIRECT VIOLATION OF THE EQUAL PROTECTION CLAUSE OF THE 14th AMENDMENT TO THE UNITED STATES CONSTITUTION.

### CLAIM THREE

IN VIOLATION OF THE EIGHTH AND FOURTEENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION, DEFENDANT AYERS HAS REGULATORS INSTALLED ON THE TOILETS OF MAINLINE LIFER INMATES IN NORTH BLOCK, BUT NOT ON THE TOILETS OF SHORT TIME INMATES IN H UNIT, RECEPTION CENTER INMATES IN WEST BLOCK, NOR THE RECEPTION CENTER INMATES IN SOUTH BLOCK OR THE GYM.

SAID TOILET REGULATORS ARE A DANGER TO THE HEALTH OF INMATES HOUSED IN NORTH BLOCK DUE TO THE FACT THAT THEY DO NOT ALLOW A CLEAN FLUSH, BECAUSE THERE IS, AT THE MOST, A THREE (3) SECOND FLUSH, WHICH ALWAYS LEAVES DEFECATED FECAL MATTER IN THE PLAINTIFF'S TOILET.

ADDITIONALLY, IF A PRISONER FLUSHES HIS TOILET FOUR TIMES IN ONE SITTING, THE TOILET LOCKS UP AND WILL NOT FLUSH ANYMORE FOR AN HOUR. WHICH IS DETRIMENTAL TO THE HEALTH OF PLAINTIFF AS WELL AS ALL NORTH BLOCK PRISONERS.

IT IS NOTEWORTHY AT THIS JUNCTURE THAT PLAINTIFF IS DENIED AN ADEQUATE DIET TO SUPPORT A HEALTHY BODY AS IT IS. BUT NOW, THE FACT THAT THE DEFENDANTS INSIST THAT PLAINTIFF, HIS CELL MATE AND THE REST OF THE NORTH BLOCK POPULATION (WHO ARE ALL DOUBLE CELLED), TO ENDURE SAID TOILET REGULATING DEVICES, CONSTITUTES CRUEL AND UNUSUAL PUNISHMENT; IN VIOLATION OF THE EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTION. PLAINTIFF HERE MAKES THE POINT OF THE DOUBLE CELLING AN ISSUE BECAUSE THESE TOILET REGULATING DEVICES ARE TOLERABLE FOR A PRISONER WHO IS SINGLE CELLED.

E X H I B I T ' C ', IS A COPY OF THE DIRECTOR'S LEVEL DECISION REGARDING THE REGULATING DEVICE AT ISSUE.

P L E A S E   T A K E   J U D I C I A L   N O T I C E OF THE FACT THAT ON THE FACE SHEET OF THE "**DIRECTOR'S DECISION**", UNDER '**A.**' **F I N D I N G S :** ' DEFENDANT GRANNIS HAD THE AUDACITY TO STATE THAT, "OFTEN INMATE TOILETS ARE BEING FLUSHED REPEATEDLY FOR REASONS OTHER THAN FOR REMOVAL OF BODILY FLUIDS, SUCH AS TO FLOOD CELLS. THEREFORE, IN THE INTEREST TO WATER CONSERVATION AND TO LIMIT INMATE MISCONDUCT, INMATE TOILETS HAVE BEEN MODIFIED TO PREVENT MULTIPLE FLUSHES IN RAPID SUCCESSION".

IT SHOULD BE NOTED THAT NORTH BLOCK HOUSES 826 PRISONERS; APPROXIMATELY 600 OF WHICH ARE LIFERS. NO ONE IN NORTH BLOCK (WHERE PLAINTIFF RESIDES) FLOODS THEIR CELLS, PERIOD!

WEST BLOCK HOUSES 900 INMATES; APPROXIMATELY 200 OR MORE OF THEM MALICIOUSLY FLOOD THEIR CELLS ON A REGULAR, DAILY BASIS; WITH IMPUNITY. YET, THERE ARE NO TOILET REGULATING DEVICES AT ALL ON ANY OF THE TOILETS IN WEST BLOCK. CLEARLY, AN EQUAL PROTECTION CLAUSE VIOLATION. (14th AMENDMENT)

SOUTH BLOCK HOUSES APPROXIMATELY 1500 INMATES, IN FOUR DIFFERENT

**SECTIONS: ALPINE SECTION; BADGER SECTION; CARSON SECTION; & DONNER SECTION.**

**A L P I N E   S E C T I O N** HOUSES 494 PROTECTIVE CUSTODY INMATES, IN TWO MAN CELLS (CHILD MOLESTERS AND INFORMANTS). ALPINE SECTION INMATES ARE FAMOUS FOR FLOODING THE UNIT ON A REGULAR BASIS, JUST FOR FUN, BY PLUGGING UP THEIR TOILETS AND CONTINUOUSLY FLUSHING THEM. YET, THERE ARE NO TOILET REGULATING DEVICES ATTACHED TO ANY OF THE TOILETS IN ALPINE SECTION.

**B A D G E R   S E C T I O N** HOUSES 494 INMATES, IN TWO MAN CELLS. BADGER SECTION HAS ALWAYS HAD NUMEROUS INMATE INITIATED INCIDENTS OF INTENTIONAL FLOODING OF THE UNIT. YET, THERE ARE NO TOILET REGULATING DEVICES ATTACHED TO ANY OF THE TOILETS IN BADGER SECTION.

**C A R S O N   S E C T I O N** HOUSES APPROXIMATELY 233 INMATES; ALL ON SINGLE CELL STATUS. CARSON SECTION HAS NUMEROUS, REGULAR INCIDENTS OF INTENTIONAL FLOODING, BY THE INMATES. YET, THERE ARE NO TOILET REGULATING DEVICES ON ANY OF THE TOILETS IN CARSON SECTION.

**D O N N E R   S E C T I O N** HOUSES BETWEEN 214 AND 494 INMATES, IN CELLS. DONNER SECTION INMATES ARE WELL KNOWN FOR NUMEROUS INCIDENTS OF INMATES INTENTIONALLY FLOODING THE CELLS/UNIT. YET, THERE ARE NO TOILET REGULATING DEVICES ON ANY OF THE TOILETS IN DONNER SECTION.

EVEN THOUGH THERE ARE TO THIS DAY, NUMEROUS, REGULAR INCIDENTS OF INMATES MALICIOUSLY FLOODING THE UNITS/CELLS/TIERS IN SOUTH BLOCK; THERE ARE NO TOILET REGULATING DEVICES IN SOUTH BLOCK (APPROX. 1500 INMATES)

THE GYM HOUSES APPROXIMATELY 360 INMATES, BUT THERE ARE NO TOILET REGULATING DEVICES ON ANY OF THE TOILETS IN THE GYM.

H UNIT HOUSES APPROXIMATELY 894 INMATES, BUT THERE ARE NO TOILET REGULATING DEVICES ON ANY OF THE TOILETS IN H UNIT.

ANOTHER **CRUEL AND UNUSUAL** ASPECT OF THE TOILET REGULATING DEVICES THAT HAVE BEEN FORCED ONTO THE PLAINTIFF AS WELL AS THE REST OF THE PROGRAMMING LIFER POPULATION OF SAN QUENTIN, IS THAT WHENEVER THE POWER IN THE INSTITUTION GOES OUT, THE PLAINTIFF CANNOT FLUSH HIS TOILET AT ALL.

ON NUMEROUS OCCASIONS, SAN QUENTIN HAS BEEN WITHOUT ELECTRICAL POWER; SOMETIMES ALL DAY LONG. DURING THOSE TIMES, THE TOILETS IN NORTH BLOCK CANNOT FLUSH AT ALL.

PLAINTIFF ASKS THE COURT TO PLEASE CONSIDER THE CRUEL INHUMANITY OF HAVING 826 PRISONERS LOCKED IN CELLS ALL DAY, TWO MEN TO A 4X7X10 FOOT CELL, IN A WINDOWLESS BUILDING; WITHOUT THE ABILITY TO FLUSH ANY TOILETS.

IT SHOULD ALSO BE NOTED THAT IN NORTH BLOCK, THERE ARE SIGNS WARNING THE **NON PRISONERS** THAT THEY MUST WEAR PROTECTIVE BREATHING APPARATUS WHEN ENTERING THE PIPE CHASE AREAS OF NORTH BLOCK. YET PLAINTIFF NOR ANY OF THE OTHER 825 PRISONERS HOUSED IN NORTH BLOCK (MANY OF US FOR LIFE) ARE ISSUED ANY TYPE OF PROTECTIVE GEAR, WHILE WE ARE BREATHING THE DUSTY FILTH ON A DAILY BASIS.

SUBSEQUENTLY, SHORTLY AFTER THE **CRUEL AND UNUSUAL** TOILET REGULATING DEVICES WERE INSTALLED THERE WAS A SERIOUS OUTBREAK OF THE **NOROVIRUS**. BECAUSE NORTH BLOCK PRISONERS COULD NOT FLUSH THEIR TOILETS PROPERLY, THE VIRUS SPREAD LIKE WILDFIRE, RESULTING IN A TWO WEEK LONG LOCK DOWN/QUARANTINE. IN FACT, SINCE THE INSTALLATION OF SAID "DEVICES", ALL VIRUSES HAVE INCREASED AND SPREAD THROUGHOUT THE NORTH BLOCK MUCH FASTER THAN THEY DID BEFORE INSTALLATION OF THE DEVICES, DUE TO THE VARIOUS BACTERIA, BLOOD AND FECAL MATTER THAT IS ALWAYS PRESENT IN THE 413 CELLS/TOILETS. THIS ADDITIONAL DEGRADATION AND DELIBERATE INDIFFERENCE TO PLAINTIFF'S HEALTH NEEDS IS BASED ON THE INABILITY TO EVER GET A CLEAN FLUSH IN THE 2 TO 3 SECOND FLUSHES AND THE LIMITED NUMBER OF FLUSHES ALLOWED BY THE REGULATING DEVICE.

C L A I M   F O U R

IN VIOLATION OF THE FIRST AND FOURTEENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION, DEFENDANT M. CRAMER NOT ONLY WRONGFULLY TERMINATED PLAINTIFF'S APPROVED VISIT WITH PLAINTIFF'S NIECE, DEFENDANT CRAMER UNLAWFULLY BARRED PLAINTIFF'S BROTHER FROM VISITING PLAINTIFF, WITHOUT **DUE PROCESS** OF LAW, IN VIOLATION OF **CALIFORNIA CODE OF REGULATIONS TITLE 15, SECTIONS: 3004, 3084, 3170, 3176, 3176.1 AND 3391.** DEFENDANT M. CRAMER's ACTIONS IN THIS CASE, AS IN MANY OTHER INSTANCES WHICH WILL BE DEMONSTRATED TO THE COURT, ALSO CONSTITUTE UNLAWFUL **R E T A L I A T I O N**, FOR PLAINTIFF'S PETITIONS TO THE PRISON GOVERNMENT FOR REDRESS OF HIS GRIEVANCES.

P L E A S E   T A K E   J U D I C I A L   N O T I C E THAT PLAINTIFF CAN, WITHOUT A DOUBT, POSITIVELY PROVE THAT HE HAS BEEN PERSONALLY SINGLED OUT AND TARGETED FOR PETTY, ONGOING, REGULAR, CONSISTENT, UNLAWFUL ACTS OF RETALIATION BY LIEUTENANT M. CRAMER AND HIS COHORTS; MASSONE, SALAIS AND THOMSON; IF THIS HONORABLE COURT WILL ALLOW DISCOVERY, INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS FROM DEFENDANT CRAMER AND SAID COHORTS.

E X H I B I T   'D', IS A COPY OF THE DIRECTOR'S LEVEL REVIEW/DECISION, IN REGARDS TO THIS CLAIM. ALL OF THE PERTINENT FACTS ARE STATED IN PLAINTIFF'S APPEAL.

DEFENDANT M. CRAMER HAS VIOLATED PLAINTIFF'S DUE PROCESS RIGHTS AND HAS USED CRUEL AND UNUSUAL PUNISHMENT ON PLAINTIFF AND PLAINTIFF'S FAMILY, SIMPLY BECAUSE PLAINTIFF EXERCISES HIS RIGHTS TO FILE LAWFUL APPEALS REGARDING THE MANY, MANY INDISCRETIONS AND ILLEGALITIES OF DEFENDANT CRAMER AND HIS COHORTS ON THE VISITING AND MAIL ROOM STAFF.

1 VIOLATED PLAINTIFF'S RIGHTS UNDER THE CONSTITUTION AND LAWS OF  
2 THE UNITED STATES.

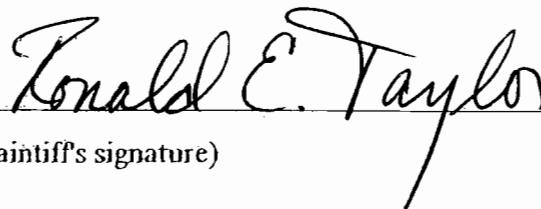
3 II. A PRELIMINARY AND PERMANENT INJUNCTION WHICH (a) PROHIBITS  
4 THE DEFENDANTS, THEIR SUCCESSORS IN OFFICE, AGENTS AND EMPLOY-  
5 EES AND ALL OTHER PERSONS IN ACTIVE CONCERT AND PARTICIPATION  
6 WITH THEM FROM HARASSING, THREATENING, PUNISHING OR RETALIATING

7 (continued on page 4-a)

I declare under penalty of perjury that the foregoing is true and correct.

8

9 Signed this 3rd day of JANUARY, 2008

10   
11 \_\_\_\_\_  
12 (Plaintiff's signature)

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IN ANY WAY AGAINST PLAINTIFF BECAUSE HE FILED THIS ACTION OR AGAINST ANY OTHER PRISONER BECAUSE THAT PRISONER SUBMITTED AFFIDAVITS IN THIS CASE ON BEHALF OF THE PLAINTIFF.

(b) PROHIBITS DEFENDANT ROBERT L. AYERS JR., et al., FROM TRANSFERRING PLAINTIFF TO ANY OTHER INSTITUTION WITHOUT PLAINTIFF'S EXPRESS CONSENT, DURING THE PENDENCY OF THIS ACTION.

(c) REQUIRES DEFENDANT AYERS JR. TO REMOVE FROM PLAINTIFF'S PRISON FILES AND RECORDS ANY REFERENCES TO ANY EVENTS DESCRIBED HEREIN OR TO THE FACT THAT PLAINTIFF FILED THIS SUIT, AND PROHIBITS BOARD OF PAROLE HEARINGS MEMBERS FROM CONSIDERING ANY SUCH REFERENCES IN ANY WAY WHEN THEY FIX PLAINTIFF'S TERMS OR DECIDE WHETHER PLAINTIFF SHOULD BE RELEASED ON PAROLE.

(d) REQUIRES DEFENDANTS TO ALLOW PLAINTIFF AND OTHER PRISONERS: 1) TO ENGAGE IN ANY ORAL OR WRITTEN COMMUNICATION WHICH IS REASONABLY RELATED TO THE CONDUCT OF THIS SUIT, INCLUDING THE PREPARATION OF AFFIDAVITS ON BEHALF OF PLAINTIFF; AND 2) TO ALLOW PLAINTIFF TO PREPARE LEGAL PAPERS AND DO ANYTHING ELSE, CONSISTENT WITH PRISON SECURITY, WHICH IS REASONABLY CONNECTED WITH THE CONDUCT OF THIS SUIT.

I I I .

COMPENSATORY DAMAGES IN THE AMOUNT OF \$300.00, FROM DEFENDANTS C.M. LOVE; DEFENDANT R.L. WINGO AND DEFENDANT M. CRAMER; AND EACH OF THEM, TO PLAINTIFF.

I V . PUNITIVE DAMAGES IN THE AMOUNT OF \$100,000.00, FROM DEFENDANT C.M. LOVE, TO PLAINTIFF.

PUNITIVE DAMAGES IN THE AMOUNT OF \$100,000.00, FROM DEFENDANT R.L. WINGO, TO PLAINTIFF.

PUNITIVE DAMAGES IN THE AMOUNT OF \$200,000.00, FROM DEFENDANT M. CRAMER, TO PLAINTIFF.

V . A JURY TRIAL ON ALL ISSUES TRIABLE BY JURY.

V I . PLAINTIFF'S COSTS OF THIS SUIT.

V I I . SUCH OTHER AND FURTHER RELIEF AS THIS COURT DEEMS JUST, PROPER AND EQUITABLE.

V E R I F I C A T I O N

I, RONALD EVANS TAYLOR, HEREBY DECLARE UNDER PENALTY OF PERJURY/LAW,  
THAT:

1. I AM THE PLAINTIFF HEREIN.
2. I HAVE WRITTEN AND READ THE FOREGOING COMPLAINT AND KNOW THE CONTENTS THEREOF AND THAT THE SAME ARE TRUE OF MY OWN KNOWLEDGE.

DATED: JANUARY 3, 2008

RESPECTFULLY SUBMITTED,



-----  
RONALD E. TAYLOR, #H 14836  
2 N 20 L, S.Q.S.P.  
SAN QUENTIN, CALIFORNIA  
94974  
IN PROPRIA PERSONAM

E X H I B I T      " A " -

**INMATE/PAROLEE  
APPEAL FORM**

CDC 602 (12/87)

Location: Institution/Parole Region

Log No.

Category *5*
 1. \_\_\_\_\_  
 2. \_\_\_\_\_

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
TAYLOR	H-14836	WEST BLOCK CLERK	3-n-5-I

A. Describe Problem: ON FRIDAY MAY 12, 2006, THE ENTIRE INMATE POPULATION WAS FORCED TO GO TO THE YARD, FOR APPROXIMATELY 6 HOURS, WHILE A SPURIOUS SEARCH WAS CONDUCTED OF NORTH BLOCK. EVEN THOUGH THE STATED REASON FOR SAID SEARCH WAS THE LOSS OF SOME PLIERS OR WIRE CUTTERS BY STAFF; MY HOT POT; WHICH I PURCHASED AT THE CANTEEN AT SOLANO IN 1996; WAS TAKEN FROM MY CELL. I ASKED THE ENTIRE NORTH BLOCK STAFF, WHETHER OR NOT THEY KNEW WHO SEARCHED MY CELL, WITH NEGATIVE RESULTS. WHOEVER TOOK MY PROPERTY DID NOT LEAVE A RECEIPT, NOR WAS SAID SEARCH OR CONFISCATION NOTED IN THE CELL SEARCH LOGS OF NORTH BLOCK.

If you need more space, attach one additional sheet.

(SEE ATTACHED SUPPLEMENTAL PAGE)

B. Action Requested: I AM SIMPLY REQUESTING THE IMMEDIATE RETURN OF MY HOT POT AND THAT THE CUSTOMARY SAN QUENTIN RETALIATORY ACTIONS ARE NOT INITIATED AGAINST ME, FOR FILING THIS APPEAL.

Inmate/Parolee Signature:

*Ronald E. Taylor*MAY 16 REC'DDate Submitted: 5-12-06C. INFORMAL LEVEL (Date Received: 5/17/06)

Staff Response: Hot pot that was confiscated was said to be altered and was disposed of per institutional procedure. Property card was checked and showed no proof of having hot pot in property, therefore the return of your hot pot is denied. (property receipt included)

Staff Signature: *Un C*Date Returned to Inmate: 6/21/06

## D. FORMAL LEVEL

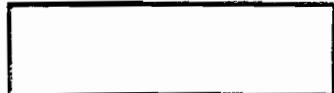
If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

**I AM DISSATISFIED WITH THE ABOVE RESPONSE, BECAUSE (A) IT IS OVER THIRTY DAYS PAST DUE-CCR 3084.6(1); (B) ITEMS PURCHASED IN THE CANTEEN ARE NOT PLACED ON 'PROPERTY CARD'; (C) MY HOT POT WAS NOT ALTERED; (D) THE RECEIPT WAS WITHHELD FOR OVER A MONTH AND A HALF, IN VIOLATION OF CCR 3287.(4) AS WELL AS THE ATTACHED WARDEN'S MEMO. I AM HEREBY REQUESTING FORMAL REVIEW.**

Signature: *Ronald E. Taylor* Date Submitted: 6-27-06

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

CDC Appeal Number

*164*

SUPPLEMENTAL PAGE - 1

THE CALIFORNIA CODE OF REGULATIONS - TITLE 15, SECTION: 3287 (2), CLEARLY STATES; IN PERTINENT PART: "CELL INSPECTIONS WILL NOT BE USED TO HARASS AN INMATE..."

THE CALIFORNIA CODE OF REGULATIONS -TITLE 15, section: 3287 (4), CLEARLY STATES: "THE INMATE WILL BE GIVEN A WRITTEN NOTICE FOR ANY ITEM(s) OF PERSONAL AND AUTHORIZED STATE-ISSUED PROPERTY REMOVED FROM HIS OR HER QUARTERS DURING AN INSPECTION AND THE DISPOSITION MADE OF SUCH PROPERTY. THE NOTICE WILL ALSO LIST ANY CONTRABAND PICKED UP OR ANY BREACH OF SECURITY NOTED DURING THE INSPECTION, AND THE FOLLOW-UP ACTION INTENDED BY THE INSPECTING OFFICER".

THE CALIFORNIA CODE OF REGULATIONS - TITLE 15, SECTION 3287 (d), CLEARLY STATES: A WRITTEN RECORD SHALL BE MAINTAINED OF THE DISPOSITION OF CONTRABAND AND STOLEN OR MISSING PROPERTY CONFISCATED AS THE RESULT OF CELL, PROPERTY, OR BODY INSPECTIONS".

MY HOT POT WAS NOT CONTRABAND AND IT WAS OBVIOUSLY NOT A SET OF PLIERS OR WIRE CUTTERS. THEREFORE, THERE WAS ABSOLUTELY NO JUSTIFICATION FOR TAKING IT OUT OF MY CELL. I PURCHASED MY HOT POT FROM THE SOLANO PRISON CANTEEN IN NOVEMBER OF 1996. I BROUGHT IT WITH ME UPON MY ARRIVAL TO SAN QUENTIN PRISON ON JANUARY 26, 2000 AND HAVE HAD IT THROUGH NUMEROUS CELL SEARCHES, WITH NO PREVIOUS PROBLEMS.

THE OFFICER WHO TOOK MY HOT POT IS IN DIRECT VIOLATION OF SECTIONS: 3004(a), 3287, & 3391 OF THE CALIFORNIA CODE OF REGULATIONS - TITLE 15.

(END OF STATEMENTS , AS OF 5-15-06)

Ronald E. Taylor  
# H-14836  
3NS-L

SQWB#120/2001  
September 18, 2001

# SAN QUENTIN WARDENS BULLETIN

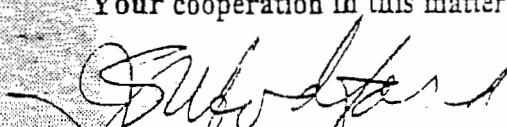
TO: ALL SAN QUENTIN STAFF

RE: ISSUANCE OF PROPERTY RECEIPTS  
TO INMATES DURING SEARCHES

It has been brought to my attention that while staff are conducting searches of inmates in their assigned work areas or cells, there have been issues concerning confiscated items. Staff should be aware they are to issue a receipt for all inmate items confiscated from inmates. This will be done regardless if it is personal or state property.

The property receipts serve many purposes to the institution, such as helping in the resolution of appeal issues.

Your cooperation in this matter is expected and appreciated.

  
J.S. WOODFORD  
Warden

LORS 6/11/1982

E\_X\_H\_I\_B\_I\_T-----' B -----'

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

**INMATE/PAROLEE  
APPEAL FORM**  
 CDC 802 (12/87)

Location: Institution/Parole Region

Log No.

Category

1. 5Q1. 06-7244

2. \_\_\_\_\_

2. \_\_\_\_\_

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
TAYLOR	H-14836	WEST BLOCK CLERK	3-N-5-L

A. Describe Problem: THIS IS AN APPEAL OF THE CALIFORNIA CODE OF REGULATIONS-TITLE 15; SECTION: 3177. THE AFOREMENTIONED REGULATION VIOLATES THE "EQUAL PROTECTION" CLAUSE OF THE 14TH AMENDMENT TO THE UNITED STATES CONSTITUTION. IN EXAMPLE.. INMATES CONVICTED OF MANSLAUGHTER ARE ELIGIBLE FOR (OVERNIGHT) FAMILY VISITING, WHILE INMATES CONVICTED OF 2ND DEGREE MURDER ARE NOT. I SUBMIT THAT THERE IS SUCH A FINE LINE BETWEEN THE CRIME OF VOLUNTARY MANSLAUGHTER AND MY SECOND-DEGREE MURDER; THAT MY RIGHT TO "EQUAL PROTECTION" OF THE LAW IS VIOLATED.

I BASE THE AFOREMENTIONED ON THE FACT THAT DEAD IS DEAD. TO CLARIFY;

If you need more space, attach one additional sheet. (SEE ATTACHED SUPPLEMENTAL PAGE)

B. Action Requested: I AM SIMPLY REQUESTING TO BE ALLOWED THE PRIVILEGE OF (OVERNIGHT) FAMILY VISITING. ALSO, I AM REQUESTING THAT NO RETALIATORY ACTIONS ARE TAKEN AGAINST ME, FOR FILING THIS APPEAL.

Inmate/Parolee Signature:

Ronald E. Taylor

3-27-06

Date Submitted:

MAR 30 REC'D

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_)

Staff Response:

Bypass
 MAIL  
BRANCHES  
RECEIVED  
JUN 19 2006  
A3 UCC-CURR

Staff Signature:

Date Returned to Inmate:

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Bypass

Signature:

Date Submitted:

Note: Property/Funds appeals must be accompanied by a completed

CDC Appeal Number:

Board of Control form BC-1E, Inmate Claim

*1. If 6 &  
2. suggest  
section  
and return*

First Level     Granted     P. Granted     Denied     Other

E. REVIEWER'S ACTION (Complete within 15 working days): Date assigned:

**MAR 30 2006**

Due Date

**MAY 12 2006**

Interviewed by: on April 9, 2006 You were interviewed regarding the issues contained in this inmate appeal. After a thorough investigation, your appeal is being "Denied." The denial is based on, CCR 3177 (2), Family Visiting (overnight). You are a person serving a life-term without a parole date established by the Board of Parole Terms (See Attached CCR Section).

Staff Signature: B. Chandler Title: Captain Date Completed: 4/12/06  
 Division Head Approved: B. Chandler Title: Asst Captain Date Returned: MAY 06 REC'D RNM  
 Signature: B. Chandler Title: Asst Captain Date to Inmate: APR 28 REC'D

F. If dissatisfied, explain reasons for requesting a Second-Level Review, and submit to Institution or Parole Region Appeals Coordinator within 15 days of receipt of response.

I AM DISSATISFIED WITH THE ABOVE RESPONSE, AS IT IS BOILERPLATE LANGUAGE.  
 THEREFORE, I AM REQUESTING REVIEW AT THE SECOND-LEVEL.

Signature: Ronald E. Taylor, 5-9-06MAY 08 REC'D 5-4-06  
MAY 11 REC'DSecond Level     Granted     P. Granted     Denied     Other

G. REVIEWER'S ACTION (Complete within 10 working days): Date assigned:

**MAY 11 2006**Due Date: **JUN 09 2006** See Attached LetterSignature: B. ChandlerDate Completed: 6/15/06Warden/Superintendent Signature: B. ChandlerDate Returned to Inmate: 6/15/06

H. If dissatisfied, add data or reasons for requesting a Director's Level Review, and submit by mail to the third level within 15 days of receipt of response.

I AM DISSATISFIED, DUE TO THE FACT THAT THE ABOVE RESPONSE IS LUDICROUS AND THEREFORE UNACCEPTABLE. I AM HEREBY REQUESTING REVIEW AT THE DIRECTOR'S LEVEL; WITH A REMINDER TO THE DIRECTOR THAT THE WORD REHABILITATION IS NOW IN THE TITLE OF THE DEPARTMENT.

Signature: Ronald E. TaylorDate Submitted: 6-14-06

For the Director's Review, submit all documents to: Director of Corrections  
 P.O. Box 942883  
 Sacramento, CA 94283-0001  
 Attn: Chief, Inmate Appeals

DIRECTOR'S ACTION:     Granted     P. Granted     Denied     Other \_\_\_\_\_  
 See Attached Letter

Date: \_\_\_\_\_

S U P P L E M E N T A L   P A G E

I SINCERELY REGRET HAVING CAUSED THE LOSS OF MY VICTIM'S LIFE. HOWEVER, THE FACT IS, BOTH MANSLAUGHTER AND MURDER MEAN THAT A LIFE WAS LOST. THE ONLY DIFFERENCE IS SEMANTICS. IN MY CASE, TWO (2) FACTS CAUSED ME TO BE CONVICTED OF 2ND DEGREE MURDER INSTEAD OF MANSLAUGHTER. FIRST OF ALL, I DID NOT TAKE THE "MANSLAUGHTER DEAL" OFFERED BY THE D.A..

SECONDLY, AND PERHAPS MOST KEY, IS THE FACT THAT JURORS ARE NOT PROFESSIONALS. THEY KNOW NOTHING ABOUT THE LAW. JURORS ARE LIKE AN AUDIENCE AT A STAGE PLAY. THEY SIMPLY APPLAUD THE BEST PERFORMANCE. THE O.J. SIMPSON CASE IS A PERFECT EXAMPLE. THE DREAM TEAM PUT ON THE BEST PERFORMANCE, SO THE JURORS [AUDIENCE] GAVE THEM THE APPLAUSE - THEREFORE, O.J. WON.

IN MY CASE, MY STATE APPOINTED PUBLIC DEFENDER [PRETENDER] PUT ON A LOUSY PERFORMANCE; WHILE THE D.A. IN MY CASE PUT ON A BETTER PERFORMANCE. SO I LOST. THAT IS THE ONLY DIFFERENCE BETWEEN MY CONVICTION FOR 2ND DEGREE MURDER AND MY GETTING CONVICTED OF MANSLAUGHTER. MY TRIAL TRANSCRIPTS WILL CONFIRM THAT I KILLED A GUY IN A SPUR OF THE MOMENT FIGHT. (PLEASE DO NOT CONFUSE MY CANDOR WITH AN ATTEMPT TO MINIMIZE THE SANCTITY OF HUMAN LIFE. THAT IS NOT MY INTENTION.

TO MAKE A LONG STORY SHORT, HAD I HAD A COMPETENT ATTORNEY, I WOULD HAVE ONLY BEEN CONVICTED OF MANSLAUGHTER, BECAUSE I NEVER DENIED KILLING MY VICTIM. MY ONLY AND CONSTANT ARGUMENT, WAS THAT IT WAS NOT MURDER. EITHER WAY; LIKE I SAID PREVIOUSLY; HOWEVER GRUESOME IT MAY SOUND; "DEAD IS DEAD"; [GOD KNOWS I'M SORRY]. THEREFORE, "EQUAL PROTECTION" ATTACHES.

NOW, SINCE PEOPLE GUILTY OF MANSLAUGHTER, ROBBERY, BURGLARY, PURSE SNATCHING, DRUG DEALING, ETC., ARE ALLOWED TO PARTICIPATE IN THE OVERNIGHT FAMILY VISITING PROGRAM; I TOO, SHOULD BE ALLOWED TO PARTICIPATE AS WELL.

(SEE CONTINUATION ON REVERSE SIDE)

SIDE 2 - CONTINUATION

I AM A PROGRAMMING LEVEL II INMATE, WITH THE MINIMUM ALLOWABLE NUMBER OF POINTS; WHO HAS NUMEROUS LAUDATORY CHRONOS IN MY PRISON FILES; ALONG WITH NUMEROUS LETTERS OF SUPPORT FROM LOVED ONES AND FAMILY MEMBERS, INCLUDING GRAND-DAUGHTERS, DAUGHTERS, NIECES, FRIENDS, MINISTERS, MY MOTHER, ETC., ETC.. SINCE I AM A CERTIFIED PARALEGAL, I ALSO HAVE LETTERS OF JOB OFFERS FROM AN ATTORNEY IN SAN RAFAEL. AS SUCH, I WOULD LIKE FOR SOMEONE/ ANYONE, IN THIS DEPARTMENT TO TELL ME WHY I PERSONALLY, WOULD POSE A RISK TO THE SAFETY AND SECURITY OF THIS OR ANY INSTITUTION, IF I AM ALLOWED OVERNIGHT FAMILY VISITING.

FURTHERMORE, WHEN I ENTERED C.D.C., I AUTOMATICALLY ENTERED INTO A CONTRACT OF SORTS, WHEREBY IF I DO 'A', 'B' AND 'C', THAT I WILL RECEIVE 'D', 'E' AND 'F'. I DID MY PART. THE DEPARTMENT IS NOT FULFILLING IT'S PART OF THE CONTRACT.

LASTLY, BUT CERTAINLY NOT OF LEAST SIGNIFICANCE, IS THE FACT THAT CDC HAS RECENTLY ADOPTED A NEW TITLE AS WELL AS NEW GOALS AND A NEW MISSION PLAN. THE NEW TITLE IS: THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION. DENYING ME OVERNIGHT FAMILY VISITING IS EXERCISING THE EXACT OPPOSITE OF THIS DEPARTMENT'S NEW TITLE/GOAL. REHABILITATION IS SERIOUSLY STIFLED, WHEN I, AS A FIFTY-FOUR (54) YEAR OLD MARRIED MAN, WITH NO SEX CRIMES OR CRIMES AGAINST WOMEN OR FAMILY MEMBERS IN MY LIFE IS DENIED MY GOOD-GIVEN RIGHT, TO SPEND A NIGHT WITH MY WIFE, NOW AND THEN.

STATE OF CALIFORNIA — DEPARTMENT OF CORRECTIONS AND REHABILITATION

ARNOLD SCHWARZENEGGER, GOVERNOR

**INMATE APPEALS BRANCH**

1515 S Street, Sacramento, CA 95814  
P.O. Box 942883  
Sacramento, CA 94283-0001



August 20, 2006

Taylor, CDC #H-14836  
California State Prison, San Quentin  
San Quentin, CA 94964

Re: Institution Appeal Log #SQ 06-724 Visiting

Dear Mr. Taylor:

The enclosed documents are being returned to you for the following reasons:

Your appeal is incomplete. You must include supporting documentation. Your appeal is missing the CDC 128-G, Institution Classification Committee Chrono (current copy).

Your assigned counselor, the Appeals Coordinator, or your Parole Agent can answer any questions you may have regarding the appeals process. Library staff can help you obtain any addresses you need.

A handwritten signature in black ink, appearing to read "N. GRANNIS".

N. GRANNIS, Chief  
Inmate Appeals Branch

State of California

Department of Corrections and Rehabilitation

# Memorandum

Date: June 5, 2006

To: TAYLOR, H-14836  
California State Prison, San QuentinSubject: SECOND LEVEL APPEAL RESPONSE  
LOG NO.: SQ 06-724**APPEAL ISSUE:** VISITING**ISSUE:**

Whether or not staff is appropriately denying the appellant the opportunity to participate in the Family Visiting Program.

**FINDINGS I**

Appellant filing this appeal alleges that there is a fine line between the crime of Voluntary Manslaughter and appellant's Second Degree Murder charge. Appellant asserts his basis for the aforementioned is that dead is dead and both manslaughter and murder means a life was lost. Appellant's contentions are that his right to "Equal Protection" of the law was violated and inmates convicted of manslaughter, robbery, burglary, purse snatching and drug dealing are allowed to participate in overnight family visiting and he should be as well. Therefore, the appellant requests that he be allowed the privilege of participating in Overnight Family Visiting.

**FINDINGS II****INTERVIEWED BY:** K.J. Williams, Correctional Captain

First level reviewer denied the appellant's appeal on the basis of CCR 3177(2), Family Visiting (Overnight). Appellant is an inmate serving a Life-Term without a parole date established by the Board of Prison Terms (Board of Prison Terms). See attached CCR Section.

**REGULATIONS:** The rules governing this issue are:

**California Code of Regulations, Title 15, Section (CCR) 3177. Family Visiting (Overnight)**

**CCR 3270. General Policy.**

TAYLOR, H-14836  
CASE NO. 06-724  
PAGE 2

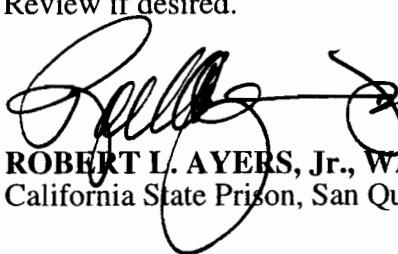
DETERMINATION OF ISSUES:

After review of the available documents, arguments having been presented, as well as referenced regulations, appellant's appeal has been thoroughly considered. Appellant is advised that a thorough inquiry was conducted into his concerns. The inquiry encompassed a detailed examination of the appellant's central file. The following information and facts were determined during the inquiry. Review of the appellant's central file revealed the appellant has a commitment offense of Murder 2<sup>nd</sup> which resulted in a Life term. Pursuant to CCR 3177(b)(2) Family visiting shall not be permitted for inmates who are in any of the following categories: sentenced to life without the possibility of parole; sentenced to life, without a parole date established by the Board of Prison Terms; designated Close A or Close B custody; designated a Condemned inmate; assigned to a reception center; assigned to a administrative segregation unit; assigned to a security housing unit; designated "C" status; guilty of one or more Division A or Division B offense(s) within the last 12 months; or guilty of narcotics distribution while incarcerated in a state prison. Based on the aforementioned this reviewer finds that the appellant's claim does not coincide with the facts represented in the central file and or the CCR. The compelling evidence and convincing argument presented has established that the appellant is not eligible to participate in the Family Visiting Program.

According to the documentation in the appellant's central file committee has adequately accommodated him in the decision reached. The complication of circumstances combined with the verifying documentation indicates that all appropriate policies and procedures, with regards to the denial of appellant's participation in the Family Visiting Program were followed. Upon review of the documentation submitted, it is determined that the appellant's allegations have been thoroughly reviewed and evaluated at the First Level of Review. The documentation and arguments presented are persuasive that the appellant failed to support his appeal issue with sufficient evidence or facts to warrant a modification of the First Level Response. The lack of sufficient facts, reference and evidence, demonstrates that the appellant has not supported his complaint that he is eligible for Family Visiting. Based on the submitted documentation, by both the appellant and first level reviewer, as well as discussions, this reviewer finds that the appellant's issues have been duly addressed The Second Level Response and the decision reached are based upon a reasonable penological interest. Therefore, based on the information received and reviewed the appellant's appeal is denied

DECISION:

The appeal is denied. Based on the submitted documentation, as well as the interviews conducted with staff, this reviewer does not find that the appellant's allegations have any merit. The appellant is advised that this issue may be submitted for a Director's Level of Review if desired.

  
ROBERT L. AYERS, Jr., WARDEN (A)  
California State Prison, San Quentin

E X H I B I T ' C '

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

**INMATE/PAROLEE  
APPEAL FORM**  
 CDC 602 (12/87)

Location: Institution/Parole Region

Log No.

Category

1. *(Signature)*1. *06-1923**9*

2. \_\_\_\_\_

2. \_\_\_\_\_

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
<i>TAYLOR, Ronald H-14836</i>		<i>WEST BLOCK CLERK</i>	<i>3NSL</i>

A. Describe Problem: ON OR ABOUT JUNE 19, 2006, THE SAN QUENTIN ADMINISTRATION INSTALLED DEVICES THAT NOT ONLY EXTREMELY LIMIT THE AMOUNT OF FLUSHES THAT INMATES ARE ALLOWED ON OUR TOILETS; (4 FLUSHES PER HOUR) THIS DEVICE ALSO ONLY Allows A THREE-SECOND FLUSH, WHICH IS NEVER A CLEAN FLUSH. IT IS MY CONTENTION THAT THE SAN QUENTIN ADMINISTRATION IS GUILTY OF CRUEL AND INHUMANE TREATMENT, BASED ON THE INSTALLATION OF THIS DEVICE; WHICH IS CLEARLY IN VIOLATION OF THE EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTION. ADDITIONALLY, THE INSTALLATION OF THIS DEVICE IS A DANGER TO THE SAFETY AND SECURITY OF THE INSTITUTION, BECAUSE

If you need more space, attach one additional sheet.

(SEE ATTACHED SUPPLEMENTAL PAGE)

B. Action Requested: I AM REQUESTING THAT THE AFOREMENTIONED 'DEVICE' BE REMOVED FROM MY TOILET, IMMEDIATELY; AS IT IS ADVERSELY AFFECTING MY WELFARE AND SERVES NO LEGITIMATE PENOLOGICAL INTEREST. I AM ALSO REQUESTING THAT I NOT BE SUBJECTED TO THE CUSTOMARY SAN QUENTIN RETALIATION THAT FOLLOWS THESE APPEALS.

Inmate/Parolee Signature: *Ronald E. Taylor* JUL 05 REC'D Date Submitted: 6-27-06

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_)

Staff Response: Denied: Due to water conservation measures requested by Marin Municipal Water District these flush valves were installed to reduce water consumption. the valves will not be removed or altered.

Staff Signature: *L. Lentini* Date Returned to Inmate: 7/18/06

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

I AM DISSATISFIED WITH THE ABOVE RESPONSE BECAUSE IT IS RIDICULOUS. THE MARIN MUNICIPAL WATER DISTRICT IS NOT CONCERNED WITH PRISONER'S HEALTH. MOST LIKELY, THERE IS MONEY INVOLVED FOR THE INSTITUTION, BY SACRIFICING OUR HEALTH. I AM REQUESTING REVIEW AT THE FORMAL LEVEL.

Signature: *Ronald E. Taylor* Date Submitted: 7-18-06

Note: Property funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

CDC Appeal Number:

JUL 20 REC'D

First Level

 Granted P. Granted Denied Other

E. REVIEWER'S ACTION (Complete within 15 working days): Date assigned:

JUL 20 2006

Due Date: AUG 31 2006

Interviewed by: Denied: Due to water conservation measures requested by Marin Municipal Water District these flush valves were installed to reduce water consumption. The valves will not be removed or altered. Additionally it is the intention of the department to install these devices throughout all facilities in the state. Inmate was interviewed on 8/01/2006.

Staff Signature: M. Hender  
 Division Head Approved: D. Hender  
 Signature:

Title: CPS  
 Title: AW

Date Completed: 7/26/06  
 Returned  
 Date to Inmate: 8/10/06

F. If dissatisfied, explain reasons for requesting a Second-Level Review, and submit to Institution or Parole Region Appeals Coordinator within 15 days of receipt of response.

**I AM DISSATISFIED WITH THE ABOVE RESPONSE BECAUSE IT IS BOGUS. I KNOW FROM EXPERIENCE THAT EVERY TIME A PRISON ADMINISTRATION THINKS OF A WAY TO TRAMPLE IT'S RESIDENT CONVICTS; THEY CLAIM IT IS BEING DONE STATEWIDE. I HEREBY REQUEST REVIEW AT THE SECOND LEVEL.**

Signature: Ronald E. Taylor

AUG 17 REC'D

8-14-06

Date Submitted: \_\_\_\_\_

Second Level  Granted  P. Granted  Denied  Other

G. REVIEWER'S ACTION (Complete within 10 working days): Date assigned:

AUG 17 2006

SEP 15 2006

Due Date: \_\_\_\_\_

 See Attached LetterSignature: J. M. Hender

Date Completed: 10/18/06

Warden/Superintendent Signature: H. D. Hender

Date Returned to: 10/19 REC'D

H. If dissatisfied, add data or reasons for requesting a Director's Level Review, and submit by mail to the third level within 15 days of receipt of response.

**SAN QUENTIN STAFF'S LUDICROUS RESPONSE DOES NOT EXPLAIN WHY ONLY PROGRAMMING LIFERS ARE BEING PUNISHED WITH THESE RESTRICTIONS, WHILE 3000 RECEPTION CENTER INMATES AND 500 P.C. INMATES HAVE UNLIMITED WATER FLOW. THEREFORE, I AM DISSATISFIED WITH THE BOGUS RESPONSE AND REQUESTING REVIEW AT THE DIRECTOR'S LEVEL.**

**EAST BLOCK AND THE A.C. ARE RESTRICTED, BUT THEY ARE SINGLE CELLED, SO IT DOES NOT MATTER TO THEM. MAINLINERS DO NOT FLOOD THE TIERS OR WASTE WATER.**

Signature: Ronald E. Taylor

10-24-06

Date Submitted: \_\_\_\_\_

For the Director's Review, submit all documents to: Director of Corrections  
 P.O. Box 942883  
 Sacramento, CA 94283-0001  
 Attn: Chief, Inmate Appeals

DIRECTOR'S ACTION:  Granted  P. Granted  Denied  Other

 See Attached Letter

JAN 12 2007

Date: \_\_\_\_\_

SUPPLEMENTAL PAGE

SAID DEVICE IS GUARANTEED TO CREATE NUMEROUS ALTERCATIONS WITHIN THE HOUSING UNIT. FOR EXAMPLE; ALMOST HALF OF NORTH BLOCK ARE MENTAL PATIENTS, WHO WILL TOTALLY DISREGARD THE FACT THAT IF THEY FLUSH THE TOILET FOUR TIMES, THAT THE OTHER OCCUPANT OF THE CELL WILL HAVE TO WAIT AN HOUR, BEFORE BEING ABLE TO FLUSH THE TOILET AGAIN; WHICH IN TURN WILL CREATE A HOSTILE LIVING SITUATION.

FIRST OF ALL; TWO ZOO ANIMALS THE SIZE OF TWO AVERAGE MEN, WOULD NOT BE KEPT IN A CAGE AS SMALL AS THE CELLS IN NORTH BLOCK. NOW, IN ADDITION TO THAT DEGRADATION, THE ADMINISTRATION; EVEN THOUGH ADDING THE WORD "REHABILITATION" TO THE TITLE OF THEIR ORGANIZATION; HAS CHOSEN TO FURTHER PUNISH PROGRAMMING PRISONERS BY LIMITING THE AMOUNT OF FLUSHES OF THE TOILETS TO FOUR PER HOUR WITH A THREE-SECOND DURATION TO SAID FLUSH; WHICH IS NEVER A CLEAN FLUSH; THE FACT THAT THE TOILET ONLY FLUSHES FOR THREE SECONDS NOW ALSO CREATES AND ADDS TO THE ALREADY NUMEROUS HEALTH PROBLEMS WHICH PLAGUE SAN QUENTIN AND WILL BE ANOTHER FACTOR, IN RISING HEALTH COSTS, BECAUSE CONSTANT EXPOSURE TO DEFECATION AS WELL AS URINE, SPIT, VOMIT, BLOOD, SPERM AND NUMEROUS OTHER WASTE PRODUCT IS DEFINITELY DETRIMENTAL TO THE HEALTH OF ANY HUMAN. THE ADMINISTRATION HAS OBVIOUSLY FORGOTTEN THAT PRISONERS AT SAN QUENTIN ARE STILL HUMAN.

IT IS ALSO A FACT THAT RECEPTION CENTER INMATES, WHO ARE TRANSIENT AND SIMPLY (REGULARLY) PASSING THROUGH SAN QUENTIN, ARE N.O.T BEING SUBJECTED TO THIS DEVICE, WHILE THE PROGRAMMING LIFERS AS WELL AS THE REST OF THE MAINLINE PRISONERS OF NORTH BLOCK ARE BEING PUNISHED WITH THIS DEVICE.

THE FACT THAT THE TOILETS IN NORTH BLOCK NOW ONLY FLUSH FOR THREE SECONDS, MEANS THAT AFTER OUR ALLOTED FOUR FLUSHES, WE HAVE TO INGEST/INHALE WHAT EVER RESIDUE OF WASTE PRODUCT IS LEFT IN THE TOILET FOR AT LEAST AN HOUR. I AM SURE THAT O.S.H.A. LAWS ARE BEING VIOLATED AND I AM IN THE PROCESS OF ACQUIRING THAT INFORMATION, FOR JUDICIAL PURPOSES.

(side '1')

see reverse side

CONTINUATION OF SUPPLEMENTAL PAGE

AN INMATE DOES NOT HAVE TO BE A MENTAL PATIENT TO FORGET THAT WE ARE NOW BEING PUNISHED BY BEING ALLOWED ONLY FOUR FLUSHES PER HOUR ON OUR TOILETS LIFERS, WHO HAVE BEEN AN ASSET TO SAN QUENTIN FOR YEARS; WHO HAVE BEEN SERVING THE SAN QUENTIN ADMINISTRATION AND PROGRAMMING POSITIVELY FOR YEARS; HAVE A LOT ON THEIR MINDS ALREADY. NOW WE HAVE TO TRY TO REMEMBER HOW MANY TIMES WE FLUSH THE TOILET, SO THAT THE OTHER OCCUPANT OF THE CELL CAN USE THE TOILET. THAT IS EXTREMELY DIFFICULT AT 4:45 A.M., JUST WAKING UP, IF MY CELLEE AND I BOTH HAVE TO GO TO JOB ASSIGNMENTS IN P.I.A., BETWEEN 5 AND 5:30 A.M. ALREADY HALF ASLEEP.

IT IS EXTREMELY DISRESPECTFUL AND DISCOURTEOUS FOR THE SAN QUENTIN ADMINISTRATION TO SUBJECT PROGRAMMING PRISONERS TO SUCH DEGRADATION; IN DIRECT VIOLATION OF THE CALIFORNIA CODE OF REGULATIONS-TITLE 15, SECTIONS: 3004 & 339. IT IS BAD ENOUGH THAT WE ARE HOUSED IN CELLS THAT WERE BUILT TO HOUSE ONE MAN WHILE WE ARE DOUBLE-CELLED. THEN THE ADMINISTRATION TOOK THE FOOTLOCKERS, THE WEIGHTS, LIFERS OVERNIGHT FAMILY VISITS, OUR CARE PACKAGES FROM HOME, CIGARETTES WERE OUTLAWED ONLY AFTER THE ADMINISTRATION GOT MANY OF US HOOKED ON THEM THEN MADE MILLIONS OFF OF US, SELLING THEM TO US. WE CAN'T EVEN CALL HOME ANY MORE, IF OUR FAMILY DOES NOT HAVE A CONNECTION WITH M.C.I., SO THE SAN QUENTIN ADMINISTRATION CAN GET A KICKBACK ON THE EXORBITANT PRICES M.C.I. CHARGES OUR LOVED ONES.

NOW, THE SAN QUENTIN ADMINISTRATION DOES NOT EVEN WANT TO ALLOW US TO TAKE A DECENT DUMP. WHAT'S NEXT? ELIMINATING SHOWERS AND FOOD?

(END OF STATEMENTS AS OF 6-26-06)

STATE OF CALIFORNIA  
DEPARTMENT OF CORRECTIONS AND REHABILITATION  
INMATE APPEALS BRANCH  
P. O. BOX 942883  
SACRAMENTO, CA 94283-0001

**DIRECTOR'S LEVEL APPEAL DECISION**

**JAN 12 2007**

Date:

In re: Taylor, H-14836  
California State Prison, San Quentin  
San Quentin, CA 94964

IAB Case No.: 0605104      Local Log No.: SQ 06-1923

This matter was reviewed on behalf of the Director of the California Department of Corrections and Rehabilitation (CDCR) by Appeals Examiner J. Pearson, Facility Captain. All submitted documentation and supporting arguments of the parties have been considered.

**I APPELLANT'S ARGUMENT:** It is the appellant's position that he objects to the toilets not being able to flush frequently. The appellant is requesting to have the toilet fixed so it will flush whenever needed.

**II SECOND LEVEL'S DECISION:** The reviewer found that all toilets in cells are being put on timers to address inmate cell flooding and water conservation. Due to water conservation mandates from the water district, the flush valves were changed and will not be altered. The flush valve does not prohibit the appellant from flushing his toilet.

**III DIRECTOR'S LEVEL DECISION:** Appeal is denied.

**A. FINDINGS:** Water conservation efforts include the need to reduce the frequency of flushing toilets. Often inmate toilets are being flushed repeatedly for reasons other than for the removal of bodily fluids, such as to flood cells. Therefore, in the interest to water conservation and to limit inmate misconduct, inmate toilets have been modified to prevent multiple flushes in rapid succession. There is no evidence that the modification is having an adverse effect upon the appellant as his toilet is usable and will flush.

**B. BASIS FOR THE DECISION:**

California Code of Regulations, Title 15, Section: 3380

**C. ORDER:** No changes or modifications are required by the institution.

This decision exhausts the administrative remedy available to the appellant within CDCR.



N. GRANNIS, Chief  
Inmate Appeals Branch

cc: Warden, SQ  
Appeals Coordinator, SQ

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STATE OF CALIFORNIA

**INMATE/PAROLEE  
APPEAL FORM**

CDC 602 (12/87)

Location: Institution / Parole Region  
 1. SG  
 2. \_\_\_\_\_

Log No.  
 1. 07-00250  
 2. \_\_\_\_\_

DEPARTMENT OF CORRECTIONS  
 Category 4

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME <u>(2) TAYLOR</u>	NUMBER <u>(1) H-14836</u>	ASSIGNMENT <u>DONNER SECTION CLERK</u>	UNIT/ROOM NUMBER <u>3-N-5-L</u>
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A. Describe Problem: PLEASE LOG THIS APPEAL AS A CITIZEN'S COMPLAINT, PURSUANT TO THE CALIFORNIA PENAL CODE, SECTIONS: 832.5 - 832.8, AGAINST THE SAN QUENTIN VISITING PROCESSING STAFF WHO DISRESPECTED ME AND MY FAMILY ON DECEMBER 2, 2006; IN AN ACT OF RETALIATION AGAINST ME, FOR MY PRIOR RESPONSIBLE USE OF THE APPEALS PROCEDURE; IN DIRECT VIOLATION OF SECTIONS: 3004, 3170, 3084 & 3391 OF THE CALIFORNIA CODE OF REGULATIONS - TITLE 15.

SECTION 3170 OF THE DIRECTOR'S RULES MAKE IT CLEAR THAT VISITING IS TO BE A MEANS OF "MAINTAINING FAMILY CONNECTIONS"...AND THAT THIS SHOULD BE ACCOMPLISHED BY THE STAFF.  
 If you need more space, attach one additional sheet. (SEE ATTACHED SUPPLEMENTAL PAGE)

B. Action Requested: I AM REQUESTING TO KNOW THE NAME OF THE INDIVIDUAL THAT TOLD MY NIECE TO TAKE OFF HER BRA AND WHO SENT OFFICER TYNES INTO THE VISITING ROOM TO INTERRUPT OUR VISIT AND PUT MY NIECE OUT, FOR NOT HAVING ON A BRA; SO THAT WE CAN PURSUE LEGAL ACTION AGAINST THIS INDIVIDUAL.

Inmate/Parolee Signature: Ronald E. Taylor Date Submitted: 12-6-06

C. INFORMAL LEVEL (Date Received: 12-20-06) Staff Response: See ATTACHED by Yo Tynes Date Received: DEC 11 REC'D

Staff Response: DATED 1/6/07

**BYPASS**

Staff Signature: R.E. Tyres c/o Date Returned to Inmate: MAY 7 2007 RECEIVED BY: RECEIVED

## D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification Chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

THE INFORMAL RESPONSE IS INCOMPLETE AND INACCURATE. THEREFORE, FOR THOSE REASONS, I AM DISSATISFIED AND AM HEREBY REQUESTING REVIEW AT THE FORMAL LEVEL.

Signature: Ronald E. Taylor Date Submitted: 1-10-07

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

JAN 17 REC'D

First Level  Granted  P. Granted  Denied  Other \_\_\_\_\_  
 E. REVIEWER'S ACTION (Complete within 15 working days): Date assigned: JAN 17 2007 Due Date: MAR 02 2007  
 Interviewed by: See Attached by LT Cramer

Staff Signature: John Cramer Title: LT Date Completed: 2/26/07  
 Division Head Approved: Jill B. Title: NW-CS Returned \_\_\_\_\_  
 Signature: John Cramer Title: MAR 05 REC'D Inmate: \_\_\_\_\_

F. If dissatisfied, explain reasons for requesting a Second-Level Review, and submit to Institution or Parole Region Appeals Coordinator within 15 days of receipt of response.

**CONTRARY TO CRAMER'S ERRONEOUS ASSERTION THAT NO OTHER APPEALS HAVE BEEN FILED, I HAVE ATTACHED SUPPORTING DOCUMENTATION TO PROVE OTHERWISE. IT SHOULD ALSO BE NOTED THAT THE MAILROOM IS ALSO UNDER CRAMER; THEREFORE, SOME DOCUMENTATION HAS SPURIOUSLY DISAPPEARED. BASED ON THE FOREGOING, I AM DISSATISFIED WITH CRAMER'S BOGUS BOILER-PLATE RESPONSE AND I HEREBY REQUEST 2nd-LEVEL REVIEW.**

Signature: Ronald E. Taylor MAR 15 REC'D Date Submitted: 3-9-07

Second Level  Granted  P. Granted  Denied  Other \_\_\_\_\_  
 G. REVIEWER'S ACTION (Complete within 10 working days): Date assigned: MAR 15 2007 Due Date: APR 12 2007

See Attached Letter

Signature: Ronald E. Taylor Date Completed: 4-24-07

Warden/Superintendent Signature: Ronald E. Taylor Date Returned to Inmate: \_\_\_\_\_

H. If dissatisfied, add data or reasons for requesting a Director's Level Review, and submit by mail to the third level within 15 days of receipt of response.

**I AM DISSATISFIED WITH THE FACT THAT THERE WAS NO 2nd-LEVEL REVIEW AND THE FACT THAT INSTITUTION POLITICS PRECLUDE JUSTICE. THEREFORE, I AM REQUESTING A DIRECTOR'S LEVEL REVIEW, SOLELY FOR THE PURPOSE OF EXHAUSTION, FOR JUDICIAL PRE-REQUISITE.**

Signature: Ronald E. Taylor Date Submitted: 4-28-07

For the Director's Review, submit all documents to: Director of Corrections  
 P.O. Box 942883  
 Sacramento, CA 94283-0001  
 Attn: Chief, Inmate Appeals

DIRECTOR'S ACTION:  Granted  P. Granted  Denied  Other \_\_\_\_\_  
 See Attached Letter  
 Date: SEP 06 2007

SUPPLEMENTAL PAGE #1

PLISHED "IN AS ACCOMMODATING A MANNER AS POSSIBLE". THIS REGULATION WAS CALLOUSLY AND CAPRICIOUSLY VIOLATED, IN AN ACT OF UNLAWFUL RETALIATION.

AT APPROXIMATELY 11:00 A.M., MY NIECE ARRIVED TO VISIT ME, WITH HER FATHER (MY BROTHER) AND A FRIEND OF THE FAMILY. (MY NIECE'S FIANCE)

UPON ARRIVAL TO THE VISITOR PROCESSING CENTER, MY NIECE WAS TOLD THAT SINCE SHE WAS WEARING A BRA WITH AN UNDER-WIRE IN IT, THAT SHE WOULD HAVE TO "TAKE THE BRA OFF". SHE IMMEDIATELY COMPLIED AND DISCREETLY REMOVED THE BRA. SHE DID NOT THINK THAT IT WOULD BE A PROBLEM BECAUSE SHE WAS WEARING A THICK BLACK WOOL TURTLENECK SWEATER AND A BLACK LEATHER COAT, WHICH WAS ZIPPED UP.

AFTER REMOVING HER BRA, SHE CARRIED IT IN HER HAND THROUGH THE CHECK POINT. HOWEVER, WHEN SHE ARRIVED AT THE SECOND GATE, OFFICER S. MALONE HASAN TOLD HER THAT SHE COULD NOT CARRY HER BRA IN HER HAND INTO THE VISITING ROOM, SO MY NIECE GAVE IT TO OFFICER HASAN, WHO PUT IT IN A BAG TO HOLD FOR MY NIECE UNTIL OUR VISIT WAS COMPLETE.

AFTER GREETING MY NIECE, MY BROTHER AND OUR FRIEND, THEY WERE ALL SEATED FOR A FEW MINUTES, THEN WE WENT AND TOOK PHOTOGRAPHS TOGETHER. (MY WIFE, MY NIECE AND MYSELF, ALL HAVE THE PHOTOS; PLUS THERE WERE AT LEAST FIFTY WITNESSES OF THE FACT THAT WE TOOK PHOTOS AND THAT MY NIECE HAD ON A THICK BLACK TURTLE-NECK SWEATER, UNDER A ZIPPED UP BLACK LEATHER COAT.)

AFTER WE TOOK THE PHOTOGRAPHS AND RETURNED TO OUR SEATS AND BEGAN DECIDING WHAT WE WERE GOING TO PURCHASE FROM THE VENDING MACHINES, OFFICER TYNES WALKED IN, APPROACHED MY NIECE AND TOLD HER THAT SHE HAD TO LEAVE, BECAUSE SHE WAS NOT WEARING A BRA.

ALL OF THE ABOVE TOOK PLACE OVER A PERIOD OF APPROXIMATELY THIRTY (30) MINUTES.

C.C.R. SECTION 3004 WAS CLEARLY VIOLATED IN THAT MY NIECE WAS HURT, HUMILIATED AND BLATANTLY DISRESPECTED; WHICH IN TURN HURT ME AND THE REST OF MY VISITORS. WHEN I SAY "HURT ME", I MEAN THAT I WAS ADVERSELY AFFECTED TO THE POINT THAT IT WAS EXTREMELY DIFFICULT TO ENJOY THE REMAINDER OF MY ANNIVERSARY CELEBRATION; WHICH I HAVE NO DOUBT WAS THE PURPOSE OF THE DISRESPECT AND TOTAL UNPROFESSIONALISM. (CCR§3391) MY WIFE AND MY MOTHER WERE ALSO COMPLETELY UPSET, DUE TO STAFF'S BLATANT VIOLATIONS OF THE TITLE 15.

(see reverse side)

(SUPPLEMENTAL PAGE, CONTINUED)

IF THE STAFF INVOLVED IN PROCESSING VISITORS INTO SAN QUENTIN WERE "ALERT, COURTEOUS AND PROFESSIONAL", AS IS MANDATED BY THE CALIFORNIA CODE OF REGULATIONS, SECTION 3391, THEY WOULD HAVE TOLD MY NIECE; BEFORE THEY LET HER BEGIN OUR VISIT; THAT SHE HAD AN OPTION OF REMOVING THE UNDER-WIRE FROM HER BRA, OR GOING TO THE FRIENDSHIP HOUSE AND WEARING A SUBSTITUTE, APPROVED BRA, FOR PURPOSES OF THE VISIT. MY NIECE HAD NO WAY OF KNOWING THE ABOVE, BECAUSE SHE HAS ONLY VISITED ME THREE TIMES IN SIX YEARS; AND PRIOR TO DECEMBER 2nd 2006, SHE HAD NO PROBLEMS WITH THE VISITING PROCEDURES.

THE SO-CALLED "PROFESSIONALS" CREATED THE PROBLEMS; EITHER THROUGH SERIOUS INCOMPETENCE OR IN RETALIATION FOR MY PRIOR USE OF THE APPEALS PROCEDURES. WHICH ONE WAS IT?

IF THE STAFF INVOLVED IN PROCESSING VISITORS INTO SAN QUENTIN ON DECEMBER 2nd 2006, WERE ATTEMPTING TO FACILITATE "MAINTAINING FAMILY CONNECTIONS" AND CONDUCTING THEMSELVES AND THE SITUATION "IN AS ACCOMMODATING A MANNER AS POSSIBLE", AS IS MANDATED BY SECTION 3170, OF THE CALIFORNIA CODE OF REGULATIONS; THEY WOULD HAVE TAKEN INTO CONSIDERATION THE FACT THAT, UNDERWEAR MUST BE WORN BY FEMALE VISITORS IN ORDER TO DECREASE THE CHANCES OF IMPROPRIETIES (SEXUAL) WITH INMATES; AND THE FACT THAT SHE WAS WITH HER FATHER AND HER FIANCÉ; COMING TO VISIT HER UNCLE; AND SINCE SHE HAD ON A THICK, BLACK WOOL SWEATER AS WELL AS A ZIPPED UP LEATHER COAT; THAT NO SUCH IMPROPRIETIES WOULD EVEN BE ENTERTAINED; AND SINCE SHE WAS ALREADY ALLOWED INTO THE VISITING ROOM AND HAD BEEN SEATED AND HAD PHOTOS TAKEN; COURTEOUS "PROFESSIONALISM" WOULD DICTATE THAT SHE BE ALLOWED TO STAY FOR THE REMAINDER OF THE VISIT; DESPITE THE FACT THAT SHE WAS NOT WEARING A BRA, DUE TO THE FACT THAT SHE FOLLOWED AN ORDER FROM STAFF, TO REMOVE IT IN THE FIRST PLACE!

FINALLY, AFTER ALL OF THE AFOREMENTIONED DISRESPECT AND UNPROFESSIONALISM BY THE VISITOR PROCESSING STAFF, LT. CRAMER HAD THE AUDACITY TO TELL MY BROTHER THAT HE IS BARRED FROM VISITING ANYMORE. FIRST OF ALL, LT. CRAMER DOES NOT HAVE THE AUTHORITY TO SUPERCEDE THE D.O.M. AND/OR THE CALIFORNIA CODE OF REGULATIONS-TITLE 15.

MY BROTHER WAS RIGHTFULLY UPSET AND TOLD ONE OF THE OFFICERS INVOLVED THAT SHE WAS "STUPID". TO DO SO, DOES NOT FIT THE CRITERIA SET FORTH IN THE DIRECTOR'S RULES; CCR §3176. & 3176.1, FOR "DENIAL, RESTRICTION, SUSPENSION, TERMINATION, REVOCATIONS AND EXCLUSION OF A PERSON"; NOR THE "VISITOR VIOLATION PROCESS". THEREFORE, LT. CRAMER ACTED IN ERROR.

(END OF STATEMENTS, AS OF 12-6-06)

*R. Taylor #H-14836*

STATE OF CALIFORNIA  
DEPARTMENT OF CORRECTIONS AND REHABILITATION  
INMATE APPEALS BRANCH  
P. O. BOX 942883  
SACRAMENTO, CA 94283-0001

**DIRECTOR'S LEVEL APPEAL DECISION**

Date: **SEP 06 2007**

In re: Taylor, H-14836  
California State Prison, San Quentin  
San Quentin, CA 94964

IAB Case No.: 0614651      Local Log No.: SQ 07-00250

This matter was reviewed on behalf of the Director of the California Department of Corrections and Rehabilitation (CDCR) by Appeals Examiner S. Hemenway, Facility Captain. All submitted documentation and supporting arguments of the parties have been considered.

**I APPELLANT'S ARGUMENT:** It is the appellant's position that he and his family were humiliated when California State Prison, San Quentin (SQ) visiting staff terminated the appellant's niece's visit, as she was not wearing a bra, in the visiting room. The appellant is requesting to know the name of the individual who told his niece to take off her bra, and, who sent Officer Tynes into the visiting room to terminate her visit so that legal action can be taken against this individual.

**II SECOND LEVEL'S DECISION:** The reviewer found that the appellant's niece, Ms Taylor, was informed that she could not clear the metal detector, because she was wearing a metal under wire bra. Staff suggested that she go to the visitor's center and change. Upon reaching the "Scope" Gate, Ms Taylor failed to clear the metal detector and handed Officer Hasan the under wire bra she was holding in her hand. Officer Hasan had possession of the bra and contacted visiting staff to inform them that Ms Taylor may not be not wearing a bra. Correctional Sergeant T. Amrhein-Conama instructed Officer Tynes to verify the information. Ms Taylor admitted to Officer Tynes that she was not wearing a bra, and due to non-compliance of the dress code, her visit was terminated.

**III DIRECTOR'S LEVEL DECISION:** Appeal is denied.

**A. FINDINGS:** Director's Level of Review (DLR) agrees with the Second Level of Review. Inmates are informed of the visiting rules and policies upon an inmate's reception into the institution. This information is given, to also share with potential visitors, to avoid embarrassment, problems and for adherence to all laws and procedures, in keeping with the safety and security of all institutions and facilities. All institutions and facilities have the visiting criteria posted in the visiting centers pursuant to California Code of Regulations, Title 15, Section (CCR) 3170, 3171, 3173.2, 3174, 3176 and 3179 in order to avoid problems and confusion. The appellant did file two visiting appeals in 2001 and one visiting appeal in March, 2006. DLR reviewed the 2006 appeal, only, as the 2001 appeals have been destroyed pursuant to applicable laws. Ms Taylor was given a choice to change her bra at the visitor's center, in order to remain in compliance with CCR 3174. When asked, Ms Taylor admitted to Officer Tynes that she was not wearing a bra, therefore not in compliance with the visiting rules. It appears, because of her actions, she caused a disruption in the visiting area. The appellant's brother became upset, because of Ms Taylor's visiting termination, and subsequently had to be placed on visiting restriction. The SQ visiting staff acted appropriately, enforcing the visiting policies and procedures. DLR finds no malicious intent regarding neither visiting staff's actions nor retaliation for filing a previous visitation appeal.

**B. BASIS FOR THE DECISION:**

CCR: 3170, 3170.1, 3171, 3172.1, 3173, 3174

**C. ORDER:** No changes or modifications are required by the institution.

*Board of Control*

TAYLOR, H-14836  
CASE NO. 0614651  
PAGE 2

This decision exhausts the administrative remedy available to the appellant within CDCR.



N. GRANNIS, Chief  
Inmate Appeals Branch

cc: Warden, SQ  
Appeals Coordinator, SQ

MMC

CV 08 00647

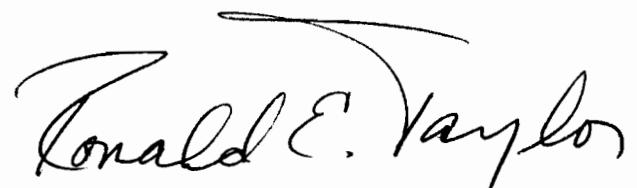
DEAR COURT CLERK;

I HAVE ENCLOSED A SELF ADDRESSED STAMPED ENVELOPE FOR YOUR CONVENIENCE.

PLEASE RETURN TO ME A CONFORMED (STAMPED "FILED") COPY OF MY COMPLAINT.

THANK YOU IN ADVANCE FOR YOUR TIME AND CONSIDERATION.

RESPECTFULLY SUBMITTED,



RONALD E. TAYLOR, #H 14836  
2 N 20 L, S.Q.S.P.

SAN QUENTIN, CALIFORNIA  
94974

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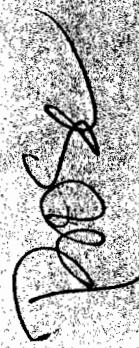
RONALD W. TLOW #H 4836  
2-N-20-L, S.Q.S.P.  
SAN MATEO, CALIFORNIA  
94974



RECEIVED

JAN 17 2008

RICHARD W. WICKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

A handwritten signature in black ink, appearing to read "R. W. Wicking".

U. S. DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
450 GOLDEN GATE AVENUE  
SAN FRANCISCO, CALIFORNIA  
94102-3483